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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,342	07/28/2003	Sebastien Laville	61170-00016USPX	6342

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EXAMINER

WELLS, KENNETH B

ART UNIT	PAPER NUMBER
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2816

DATE MAILED: 05/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/629,342

Applicant(s)

LAVILLE ET AL

Examiner

Kenneth B. Wells

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/28/03
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
2. The incorporation of essential material in the specification by reference to a foreign application or patent, or to a publication is improper. Applicant is required to amend the disclosure to include the material incorporated by reference. The amendment must be accompanied by an affidavit or declaration executed by the applicant, or a practitioner representing the applicant, stating that the amendatory material consists of the same material incorporated by reference in the referencing application. See *In re Hawkins*, 486 F.2d 569, 179 USPQ 157 (CCPA 1973); *In re Hawkins*, 486 F.2d 579, 179 USPQ 163 (CCPA 1973); and *In re Hawkins*, 486 F.2d 577, 179 USPQ 167 (CCPA 1973).

On page 1 of the specification, it is improper to incorporate by reference to the French priority application.

3. The drawings are objected to because in Fig. 1 the black boxes need text labels. A proposed drawing correction or corrected drawings are required in reply to the Office action to

avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

7.4. The disclosure is objected to because of the following informalities: on page 4, line 4, "provide" should be changed to --provided and--. On page 6, line 11, "of" should be changed to --for--.

5. The claims are objected to because of the following informalities: on line 2 of claim 3, the semicolon should be changed to a colon. Throughout the claims "the said" should be changed to either --the-- or --said--. Also, all occurrences of "in parallel on" should be changed to --in parallel with--.

6. Claims 1-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claims 1-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, it cannot be determined which elements form the recited "analog electronic circuit" on line 2, not it is clear which elements from the "adjustment resistances". On line 3, "set" should be changed to --plurality-- because it appears that applicant means "at least two" here. On line 7, "associated" is vague and indefinite and should be replaced with more specific language so as to make clear what is meant by this term (note also claim 13 has the same problem). On line 9, it cannot be determined if "the resistances of the adjustment device" is referring to the same resistances as those set forth on line 3, or if they are different resistances. The recitation of the "control signal" on line 12 is incorrect because it is inconsistent with what is set forth in claim 2. In other words, in claim 1, the control signal is input from the outside of the circuit, whereas claim 2 recites that the control signal is input to the counter (which is not outside the circuit). On the last line of claim 1, "it" is improper, and on line 13, "onto" should be replaced with --at--. On the second to last line of claim 1, "a signal" lacks clear antecedent basis because it appears that this is actually the control signal set forth on line 12. Is this correct?

In claim 4, there is no antecedent basis for "each control stage" because only one has been set forth in claim 3.

In claim 7, "each assembly" lacks antecedent basis as well, as does "the circuit to be adjusted".

The remaining claims have several indefiniteness problems as well. For example, "each of the fusible elements" in claim 8 lacks antecedent basis, as does "the fusible elements" in claim 9. In claim 10, "grid" is apparently a typographical error.

Also, throughout the claims, "may be" and "can be" are improper expressions because they are not positive recitations of the invention. On lines 5-7 of claim 11, the limitation that the second resistances are configured from outside the circuit to modulate the value of the first resistances" does not appear to be supported in the specification or drawings, and is thus misdescriptive of the invention. On the last two lines of claim 11, it is misdescriptive to recite that the combinational logic selects fuse elements responsive to the control signal, because the combinational logic actually outputs signals S1 through S6 which select the *FETs*, not the fuses (note the same type of problem in claim 14, lines 9-13).

The limitations of claim 13 do not appear to be supported, i.e., where is the measuring described? What parameter is measured? It also makes no sense to recite that the whole circuit (i.e., circuit 10) is deactivated". Where is the support for this?

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Also not seen in claim 13 is the decoding of the clock signal. Where is the support for this?

In claim 20, there is no antecedent basis for "the corresponding second resistor".

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 6, 8, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin et al.

As to claims 1 and 11, note Fig. 3, where the "device" recited on line 1 reads on the entire Fig. 3 circuitry; the recited "operating parameter" is discussed in the abstract at line 2 (i.e., resistance or capacitance). The recited "adjustment resistances" read on resistors R1 through RN; the recited "circuit" on line 4 of claim 1 reads on all of the Fig. 3 circuitry except for resistors R1 through RN; the recited "fusible means" read on element 34-1 (see column 5, line 24); the recited "control signal" reads on signal CSZ in Fig. 5 of

the reference; and the recited "combinational logic circuit" though not disclosed would have been obvious to those having ordinary skill in the art who will easily recognize that the generator 52 (which is "outside the circuit") can be formed using combinational logic. The reason this is obvious is that it is old and well-known in the art of semiconductor integrated circuits that a plurality of control signals (such as signals SZ1 through SZN) are typically generated using combinational logic (this is why Shin et al does not show the details of generator 52, i.e., it is old and well-known in the art). The "first resistances" of claim 11 are R1 through RN, the "second resistances" are the combination of resistor R21 and the corresponding resistors within circuits 32-2, 32-3, 32-N.

As to claim 2, see column 7, last line wherein it is stated that the circuitry which provides signals SZ1 through SZN can include a counter. As to claim 6, official notice is taken that counters formed from plural flip-flops is notoriously old and well-known in the art and thus does not define patentably over Shin et al. The phrase "so as to accelerate transitions..." is merely intended use "result" language which cannot be relied upon to distinguish over Shin et al.

As to claim 12, this limitation is again intended use and cannot be relied upon to distinguish over Shin et al.

9. Claims 3-5, 7, 9 and 10 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims 13-26 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.


10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Wells whose telephone number is (571)272-1757. The examiner can normally be reached on Monday through Friday from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan, can be reached at (571)272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kenneth B. Wells
Primary Examiner
Art Unit 2816

March 14, 2004